

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

Douglas Cook,

Plaintiff

v.

Bridgecrest Credit Company, LLC,

Defendant

Case No. 2:22-cv-01141-CDS-NJK

**Order Granting Defendant's Motion to
Excuse Appearance at Hearing**

[ECF No. 16]

This matter was stayed in October 2022. ECF No. 13. After a significant period of inactivity, I ordered plaintiff Douglas Cook to file a notice of dismissal or provide a joint status report addressing the status of arbitration and this case. Min. order, ECF No. 14. After the parties failed to comply with my order, a hearing was set for May 9, 2024, to address the status of this case. Min. order, ECF No. 15. Cook was notified that if the dismissal was filed before May 8, 2024, the hearing would be vacated. *Id.* To date, neither a dismissal or status report has been filed.

Now, defendant Bridgecrest Credit Company moves for excusal from the May 9 status conference. ECF No. 16. Bridgecrest asserts that the “arbitrator dismissed the arbitration after attempting to get Plaintiff’s attention through multiple orders.” *Id.* at 1. Bridgecrest contends that “Plaintiff just abandoned its claims, and [Bridgecrest] should not be further penalized[.]” *Id.* at 2. I agree. Based on the information contained in Bridgecrest’s motion, it is hereby excused from tomorrow’s hearing. Plaintiff Cook, however, is not and must appear.

Conclusion

Accordingly, IT IS ORDERED that Bridgecrest’s motion to excuse [ECF No. 16] is
GRANTED.

1 IT IS FURTHER ORDERED that plaintiff Douglas Cook must appear on May 9, 2024 at
2 11:30 a.m. in LV Courtroom 6B to provide a status update. Failure to appear may result in the
3 issuance of sanctions, including contempt, monetary sanctions, or dismissal.

4 Dated: May 8, 2024

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7 Cristina D. Silva
8 United States District Judge
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